

Environmental Planning checklist for 404 permit applications

Nationwide with PCN

Please use this checklist to ensure that all applicable items are included in submittal. Transmit checklist with complete 404 application package to NEPA Planner.

1. Cover Letter Header:

_____ RE: Permit requested
_____ COE Project File No.
_____ Project Number (formerly TRACS number).
_____ Federal Aid Number.
_____ Project Name

2. Cover Letter: please address the following items in the letter:

Describe the activity:

_____ Complete written description of existing conditions
_____ Complete written description of activity to be permitted (i.e., section of highway to be reconstructed, scour protection project, etc.)
_____ Complete written description of overall project (i.e., this bridge project is part of a five (5) mile reconstruction project ...), include what is existing in the project limits
_____ Project location and name of primary waters of the U.S. affected by project. Include Name of USGS Quadrangle in which project is located as well as the legal description (Range, Township, Section) that describes site location (if known)
_____ Estimated acreage of temporary and permanent impacts to waters of the U.S., including Wetlands; describe the reasons for these estimates

Describe the Project's Purpose:

_____ Overall project purpose (if different from activity needing a permit)
_____ Purpose of the proposed activity needing permit
_____ Need for the project

3. Maps: Please include the following items in the package, if applicable:

All drawings must be legible, and on letter or legal size white paper, and include a North arrow, scale, and pertinent project information (items listed in cover letter heading section).

_____ State map
_____ Vicinity map
_____ Floodplain map
_____ Topographic map

- 4. ENG 4345 form; go to <http://www.spk.usace.army.mil/pub/outgoing/co/reg/ENG4345.pdf>, or to EPG Web site. (Page 3&4 of ENG 4345 contain instructions for completing this application). NOTE: Box 25 of form: Assign an asterisk to concurrences if received, write date of concurrence and attach to package. State if pending.**

5. Applicant information:

_____ Signature of Applicant
_____ Signature of Agent ¹
_____ Signature for statement designated official agent
_____ Telephone number during business hours of Agent

6. Tables & Drawings:

Tables: Appendix A - Table I

NOTE: List in a table all species that were consulted on, and assign an asterisk to those which concurrence was received. Explain the affect determination made, and the B.O. or concurrence letter should be attached, if in at the time.

Drawings: Please include the following items in the package, if applicable:

Attach text paragraph addressing the following items, if they are known.

_____ River mile if known
_____ Name of water body
_____ Identifiable landmarks
_____ Flow data for Jurisdictional Waters
_____ Ordinary high water mark elevation
_____ Average water depth around activity
_____ Dimensions of activity and distance it extends beyond ordinary high water mark
_____ Location of structures and dimension immediately adjacent to the proposed activity

Attach drawings that address the following items, if applicable.

_____ Area of corps jurisdictional delineation Juxtaposed on project plans (temporary disturbance & permanent losses diagrams)
_____ All detail plan sheets are to be included (even those which are on jurisdictional washes whose permanent impacts are below notification threshold) for verification purposes

7. General Conditions Compliance: Include a document that addresses each and all of the general conditions.

8. Mitigation Plan: Please include the following items in the package, if applicable:

_____ Coordinate with District and applicable agencies to develop a proposal for how ADOT would propose to compensate for permanent loss to waters of the U.S.
_____ A description of JPA/IGA used in compensation. State date of issued and completion (if not known, please provide best estimate).
_____ Coordinate with EPG staff, specifically the regional biologist to develop a proposal for how ADOT would propose to compensate for permanent loss to waters of the U.S.
_____ A map or layout of proposed mitigation
_____ A description of proposed mitigation or a proposal for ADOT to complete an in-lieu to mitigate for permanent impacts to waters of the U.S.
_____ A schedule of proposed planting
_____ A list of the species to be planted

¹ The preparer of the 404 permit application package (if it is either an EPG on-call or design consultant) SHOULD not sign as Agent, un-less previously discussed and accepted by EPG management for him/her to do so.

_____ A proposed maintenance and monitoring program (Note: Any proposal to monitor mitigation must be accompanied by a monitor plan coordinated with EPG and Roadside, that articulates specifically what and who would complete monitoring)

9. Photographic record (color):

If the preparers of the 404 permit application package are not the same people as those that prepared the Jurisdictional Delineation, they must ensure that Corps has photographs from the Jurisdictional Delineation. If not, a photographic record of the waters of the U.S. that are subject of permitting must be provided with submittal.

- A maximum of four (4) photographs is allowed per page.
- If there is a need for on-site mitigation or in-lieu fees, then recent photographs will be required for the areas impacts.
- If there is any change in the drainage between the time of the JD and the PCN, then recent photographs will be required.
- If there is no change and photographs will not be submitted with the PCN, then a reference to the JD will be required along with a statement that there have been no changes in the drainage or vegetation.

10. Include the reference number of the Corps letter approving the Jurisdictional Delineation (copy of the letter is not required)

11. Agency concurrences and other permits (as required):

Include copies of any additional clearance, certification, or permits required.

Status of Additional Permits or Certificates

- _____ Arizona Department of environmental quality (401 certification)
- _____ Table describing the biological resources on the project site (BA&E, BR, BO); see NOTE in Section 5: Tables & Drawings
- _____ Report describing the cultural resources on the project site (Clearance memo from EPG's HPT)
- _____ Report describing the hazmat clearance for project
- _____ Report describing concurrences form (i.e. BLM, USFS, USFWS, tribal, etc.) other agencies
- _____ Other, please describe

12. On tribal land, prepare individual 401 certification application for EPA.

13. List of Attachments:

- _____ Loss and disturbance diagrams
- _____ Plan Sheets
- _____ Maps, as detailed in Section 3
- _____ USGS quad map
- _____ Agency concurrence letters
- _____ Other, please describe

Individual 404 application

All of above except:

- 1. Rather than general condition compliance document, prepare 404(b)(1).**

Alternatives Analysis

To verify project compliance with the 404(b) (1) guidelines, you will need to demonstrate that there is no other practicable alternative that would have less adverse impact on the aquatic ecosystem. Develop and include the text (hard copy and electronically on a CD) for the project description, purpose and need and alternative selection of the Corp's EA. The alternatives are in relation to minimizing impacts to waters of the U.S., not to all items disclosed in the ADOT/FHWA EA. Include the following information in the appropriate format:

Alternative Analysis should include

- _____ Cost estimate for each alternative, relative to that of preferred Alternative
- _____ Description of each alternative.
- _____ Description of project alternative that avoids the need for 404 permit
- _____ Acreage of water of the U.S. impacted in each project Alternative
- _____ Ensure that alternatives discuss waters of the US alternative channel configuration, material and loss of vegetation
- _____ A thorough treatment of why each alternative project design or site that may have fewer impacts to water of the U.S. is impracticable relative to the preferred project in terms of cost, logistics and existing technology. Include a summary statement of how cost, minimization of impacts to waters of the U.S. & constructability would lead to our recommendation of preferred alternative

NOTE: At the end of form 404(b)(1), special conditions are listed. Include ONLY those that apply to the project. Re-word or correct grammar if appropriate. Use electronic version of 404(b)(1).

- 2. Prepare Individual 401 certification application with appropriate application form & applicant's response. Submit with complete 404 permit application to ADEQ/EPA.**
- 3. Include mailing labels for adjacent landowners (permittee will need to have verified landowners' names and addresses).**
- 4. Provide graphics electronically in 8 ½ by 11-inch format for the public notice.**

EPG Nationwide/Individual Permit Application Review

☐ Y

☐ N

I. Project Information

Project Name: _____ EPG Planner _____

TRACS #: _____ MP inclusive _____ Project #: _____

Waterway(s): _____

☐ Y

☐ N

II. Corps Authority Information

Section 10? Yes _____ No _____

Section 404? Yes _____ No _____

☐ Y

☐ N

III. Project Mapping (i.e., site photos, site photo key, plan drawings (plan and profile), USGS contour maps, FEMA FIRM maps)

Adequate? Yes _____ No _____

Needs: _____

☐ Y

☐ N

IV. Project Impact Information (Document *area* impacted in *acres*, and *fill* in *cubic yards*.)

Wetlands (permanent): _____ Wetlands (temporary): _____

Waters of the US (permanent): _____ Waters of the US (temporary): _____

Comments: _____

☐ Y

☐ N

V. Nationwide Permit(s) Requested (NWP #/Title)

1. _____

2. _____

3. _____

4. _____

☐ Y

☐ N

VI. General Conditions Compliance (Include a separate page(s) entitled "General Conditions Compliance" addressing ALL General Conditions, even if no effect/not applicable, and explain why.)

General Conditions addressed adequately? Yes: _____ No: _____

Conditions addressed inadequately/information needed: _____

☐ Y

☐ N

VII. Jurisdictional Delineation (JD)

Delineation required? Yes _____ Date JD letter _____ No _____

Comments: _____

☐ Y

☐ N

VIII. Mitigation

Type:

- a. On-site? Yes _____ No _____
- b. Off-site? Yes _____ No _____
- c. In-lieu fees? Yes _____ No _____

Comments: _____

☐ Y

☐ N

IX. Threatened and Endangered Species

Project specific species list included? Yes _____ No _____

Determination:

- a. No effect _____
- b. Not likely to adversely affect _____
- c. May affect _____

Comments: _____

☐ Y

☐ N

X. SHPO Concurrence

Concurrence granted? Yes _____/Date _____ No _____

Date concurrence anticipated: _____ (month/year)

Comments: _____

☐ Y

☐ N

XI. Water Quality Certification (ADEQ/EPA)

401 submitted to ADEQ/EPA? Yes _____/Date _____ No _____

Date 401 certified by ADEQ/EPA: _____

Anticipated 401 submission date to ADEQ/EPA: _____ (month/year)

Conditional certification? Yes _____ No _____

White Mountain Apache Tribe 401 Certification? Yes _____ No _____

Comments: _____

THE FOLLOWING SECTIONS PERTAIN TO *INDIVIDUAL* PERMIT APPLICATIONS ONLY

☐ Y

☐ N

XII. Corps EA (Draft)

Prepared? Yes _____/Date _____ No _____

Comments: _____

☐ Y

☐ N

XIII. Alternative Analysis

No action addressed? Yes _____ No _____

Alternatives addressed, *site specific* (i.e., other corridors, other grade structures, etc.): _____

Comments: _____

☐ Y

☐ N

XIV. MOU Process

EIS process? Yes _____ No _____

EA/CE process? Yes _____ No _____

Photocopy of process attached? Yes _____ No _____

Comments: _____

**See Page 4 for Additional Items Needed/To Be Addressed for Complete
Application**

EPG Planner/On-Call Action Items

Date Reviewed by NEPA
Planner (initial & date)

Additional Items Needed/To Be Addressed for Complete Application

[illegible]